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Letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on media freedom and democratic standards in Ukraine issued on 18 March 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

04-28496 (E) 260304

Annex to the letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on media freedom and democratic standards in Ukraine issued on 18 March 2004 by the Presidency on behalf of the European Union

The European Union has noted with great dismay several recent events which have sent a negative signal in relation to democratic standards in the run-up to presidential elections in Ukraine on 31 October.

The European Union regrets that several events or measures have affected the independent media at a time when, in the run-up to the elections in October, information from a variety of sources and media independence and diversity have never been more important to the Ukrainian people as they make their democratic choice. Any reduction in the space of the independent media, regardless of the grounds given in justification of specific instances, damages the international credibility of Ukraine and its engagement to ensure free and fair elections.

Recent events include the decision by Dovira Radio to cancel its contract with Radio Liberty; problems encountered by the fifth channel with respect to its licence; and the closure of Radio Kontinent on 3 March.

The Union has also noted with concern the credible reports of a significant increase in administrative harassment by the State Tax Administration in a selective way against independent journalists and against companies which belong or are presumed to belong to opposition supporters. The selective way in which fiscal inquiries and investigations have been conducted raises the question of their underlying motivation.

Freedom of the media and impartiality of State administration are essential requirements for free and fair elections. A strong EU-Ukraine relationship depends on concrete actions by the administration to uphold and promote European values and standards, to which free and fair elections are central. Rule of law, independence of justice, freedom of the media and the protection of journalists are benchmarks of the administration's good faith in this regard.

Furthermore, the Union notes with dismay reports by a number of observers that the by-election held in constituency No. 61 (Donetsk region) on 7 March was marred by irregularities committed both during the electoral campaign and on polling day. The European Union considers that this represents a further unfortunate signal prior to the presidential elections in October and calls on the Ukrainian authorities to take the necessary measures to ensure that the presidential election will be carried out in a fully democratic manner.

The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries Bulgaria and Romania, the countries of the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro and the former Yugoslav Republic of Macedonia, the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, align themselves with this statement.